IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 33336 of 2006(R)

PETITIONERS:
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1. INDIRA DEVI, W/O. P.S.SIVADASAN PILLAI,
PARANKIMAVILAYIL HOUSE, CHOORAKKODU P.O.,
MANAKKALA, ADOOR.

2. K.SIVADASAN PILLAI,
PARANKIMAVILAYIL HOUSE, CHOORAKKODU P.O.,
MANAKKALA, ADOOR.

BY ADV. SRI.T.R.HARIKUMAR

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
KERALA STATE FINANCIAL CORPORATION,
ALLEPPEY.

2. THE DISTRICT MANAGER,
KERALA FINANCIAL CORPORATION, PATHANAMTHITTA.

BY GOVERNMENT PLEADER SMT. N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 33336/2006 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE NOTICE NO. KFC/26/03(P)/848 DT. 25/7/2003.

EXT.P2. COPY OF THE REPRESENTATION DT. 6/7/2006.

EXT.P3. COPY OF THE ACKNOWLEDGEMENT CARD DT. 8/7/2006.

EXT.P4. COPY OF THE AUCTION NOTICE DT. 5/12/2006 PUBLISHED IN MALAYALA MANORAMA DTD. 6/12/2006.

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.33336 OF 2006-R

Judgment

The petitioners are defaulters to the KFC. They moved this Court, seeking the benefit of the one-time-settlement scheme. When confronted with the prospect of their assets being sold in public auction, this Writ Petition was filed and this Court, on 19.12.2006, passed the following interim order :

> *"In case the petitioner files an application claiming the benefit of one-time-settlement, making specific proposal along with deposit of Rs.4 lakhs (Rupees four lakhs) within a period of two weeks, the same shall be considered by the Kerala Financial Corporation and inform the petitioner accordingly. Till then, further proceedings pursuant to Exhibit P4 may be kept in abeyance. It goes without saying, in case the petitioner defaults compliance with the interim order, it will be open to the respondents to proceed with the matter."*

Now, it is submitted by both sides that the petitioners could not comply with the said direction. If the one-time-settlement scheme is still in force, the petitioners will be free to pay 1/10th of the outstanding amount and move for one-time-settlement facility. Subject to that right, the Writ Petition is dismissed.

05.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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